

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

JOHN V. DOMMISSE, M.D.

Holder of License No. 22164
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-06-1022A

**CONSENT AGREEMENT FOR
DECREE OF CENSURE**

CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and John V. Dommisse, M.D. ("Respondent"), the parties agreed to the following disposition of this matter.

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement"). Respondent acknowledges that he has the right to consult with legal counsel regarding this matter.

2. By entering into this Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Consent Agreement.

3. This Consent Agreement is not effective until approved by the Board and signed by its Executive Director.

4. The Board may adopt this Consent Agreement of any part thereof. This Consent Agreement, or any part thereof, may be considered in any future disciplinary action against Respondent.

5. This Consent Agreement does not constitute a dismissal or resolution of other matters currently pending before the Board, if any, and does not constitute any

1 waiver, express or implied, of the Board's statutory authority or jurisdiction regarding any
2 other pending or future investigation, action or proceeding. The acceptance of this
3 Consent Agreement does not preclude any other agency, subdivision or officer of this
4 State from instituting other civil or criminal proceedings with respect to the conduct that is
5 the subject of this Consent Agreement.

6 6. All admissions made by Respondent are solely for final disposition of this
7 matter and any subsequent related administrative proceedings or civil litigation involving
8 the Board and Respondent. Therefore, said admissions by Respondent are not intended
9 or made for any other use, such as in the context of another state or federal government
10 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
11 any other state or federal court.

12 7. Upon signing this agreement, and returning this document (or a copy thereof)
13 to the Board's Executive Director, Respondent may not revoke the acceptance of the
14 Consent Agreement. Respondent may not make any modifications to the document. Any
15 modifications to this original document are ineffective and void unless mutually approved
16 by the parties.

17 8. If the Board does not adopt this Consent Agreement, Respondent will not
18 assert as a defense that the Board's consideration of this Consent Agreement constitutes
19 bias, prejudice, prejudgment or other similar defense.

20 9. This Consent Agreement, once approved and signed, is a public record that
21 will be publicly disseminated as a formal action of the Board and will be reported to the
22 National Practitioner Data Bank and to the Arizona Medical Board's website.

23 10. If any part of the Consent Agreement is later declared void or otherwise
24 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force
25 and effect.

1 11. Any violation of this Consent Agreement constitutes unprofessional conduct
2 and may result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order,
3 probation, consent agreement or stipulation issued or entered into by the board or its
4 executive director under this chapter") and 32-1451.

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7 JOHN V. DOMMISSE, M.D.

DATED: 14 June 07

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control of
3 the practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license number 22164 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-06-1022A after discovering
7 Respondent disclosed confidential Board information to the public.

8 4. The Board received two separate complaints against Respondent concerning
9 his patient care. The Board initiated Case MD-03-1046A and MD-05-0086A as a result of
10 those complaints and provided Respondent with confidential investigative materials so that
11 he could respond to the allegations. The names of both complainants were included in
12 those materials.

13 5. During the course of those investigations, Board Staff received a copy of a
14 letter written on Respondent's letterhead that indicated the two named complainants
15 "instigated" Board investigations against him. The letter was addressed to selected Tucson
16 area health practitioners. A person who receives information from the Board for the
17 purposes of a disciplinary interview may not release it to any other person or entity. A.R.S.
18 § 32-3206(B).

19 6. Respondent admitted to sending the letter and stated that he was not aware
20 that he could not divulge the names of complainants to other health practitioners.

21 **CONCLUSIONS OF LAW**

22 1. The Board possesses jurisdiction over the subject matter hereof and over
23 Respondent.

24 2. The conduct and circumstances described above constitute unprofessional
25 conduct pursuant to A.R.S. § 32-1401(27)(a) ("[v]iolating any federal or state laws or rules

1 and regulations applicable to the practice of medicine."), specifically, A.R.S. § 32-3206(A)
2 and (B) ("[a] person who obtains information from the board pursuant to this section may
3 not release it to any other person or entity or use it in any proceeding or action except the
4 disciplinary interview and any administrative proceedings or appeals related to the
5 disciplinary interview. . . .").

6 **ORDER**

7 IT IS HEREBY ORDERED THAT:

8 1. Respondent is issued a Decree of Censure for releasing confidential Board
9 information.

10 2. This Order is the final disposition of case number MD-06-1022A.

11 DATED AND EFFECTIVE this 10th day of August, 2007.



ARIZONA MEDICAL BOARD

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By 

TIMOTHY C. MILLER, J.D.
Executive Director

ORIGINAL of the foregoing filed
this 10th day of August, 2007 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

EXECUTED COPY of the foregoing mailed
this 10th day of August, 2007 to:

John V. Dommissie, M.D.
Address of Record


Investigational Review